

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
MAY 12, 2022**

A regular meeting of the City of Lapeer Planning Commission was held at 6:30 p.m. on Thursday, May 12, 2022 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan.

Members Present: Chairperson Jennell RaCosta, Vice Chairman Austin Kelly and Commissioners Jeff Pattison, Debbie Marquardt, Catherine Bostick-Tullius, Marty Johnson and Anne Shenck.

Members Absent: Commissioners Dale Kerbyson and Doug Roberts.

Also Present: Jason Ball Rowe Professional Services Company Planning Consultant, and Kimberly Hodge, Recording Secretary

Chairperson RaCosta called the meeting to order at 6:30 p.m.

MINUTES

079 2022 5-12 Regular Meeting Minutes

Motion by Bostick-Tullius. Seconded by Pattison.

Approve the minutes of the regular meeting held on April 14, 2022 as presented.

Ayes: Commissioners RaCosta, Kelly, Marquardt, Pattison, Bostick-Tullius, Johnson and Shenck.

Nays: None.

Absent: Commissioners Kerbyson and Roberts.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARING SCHEDULED

Special Land Use – Carr BBQ Mobile Food Truck/Trailer – 1203 Imlay City Rd. (TSC)

Planning Consultant Jason Ball reviewed the request from Brett Carr BBQ for approval of a Special Land Use in order to operate a mobile food truck/trailer in the TSC parking lot located at 1203 Imlay City Road. Ball reviewed the site location at the south end of the parking lot, surrounding uses, the site diagrams provided by the applicant and photos of the site and mobile food trailer. Ball reviewed the standards for approval of the request, the findings of fact for each standard and stated clarification is needed on the hours of operation, generator use, electric use and the status of the applicant's Lapeer County Health Department license.

Brett Carr was present and stated currently the planned hours of operation are 11 a.m. to 5 p.m. on Mondays and Tuesdays May through September, that the trailer has recently been inspected by the Fire Department, that he has renewed his Lapeer County Health Department license since the original paperwork was submitted and that a generator will be utilized.

Chairperson RaCosta opened the public hearing at 6:39 p.m.

There being no comments, the public hearing was closed.

080 2022 5-12 Special Land Use – Carr BBQ Food Trailer – 1203 Imlay City

Motion by Kelly. Seconded by Pattison.

To approve the special land use request from Brett Carr to allow a portable business selling food (“food truck/trailer”) on the Tractor Supply property at the south end of the parking lot because it meets all five standards in Section 7-19.04 contingent upon:

- The location of the food truck/trailer must be in compliance with the submitted plot plan;
- The hours of operation are limited to the same hours of operation as the primary use on site (Tractor Supply Company) or normal business hours of 8 am – 6 pm;
- The use shall not have a negative effect on adjacent property or ADA parking standards;
- The proposed food truck/trailer shall be inspected by the Fire Department prior to locating on site each year;
- That an Outdoor Merchandise Display & Sales Application is submitted and approved annually prior to operation.

Ayes: Commissioners RaCosta, Kelly, Marquardt, Pattison, Bostick-Tullius, Johnson and Shenck.

Nays: None.

Absent: Commissioners Kerbyson and Roberts.

MOTION CARRIED.

SITE PLAN REVIEWS

Murphy Oil USA – Gas Station Site Redevelopment – 579 E. Genesee St.

Consultant Ball reviewed the site plan received for redevelopment of the Murphy Oil USA gas station located at 579 E. Genesee Street. Ball reviewed the site location and various items of the project including a new larger convenience store building, additional gas pumps, accessory uses and the proposed design of the exterior building. Ball reviewed the site plan approval standards and stated outstanding items include Planning Commission approval of the proposed red and blue trademark colors, the 26 ft. high light poles and a waiver of two trees required to be located in the front greenbelt area.

Discussion was held regarding the red accent colors on the building, the blue color of the canopy, location of the light poles, the existing trees in the front yard just outside the required greenbelt area and the location of the Walmart pole sign. Discussion was also held on outstanding staff comments to be addressed, the dumpster enclosure, the Murphy Oil USA trademark colors and plans to replace and enlarge the water service connection.

081 2022 5-12 Murphy Oil USA – 579 E. Genesee – Color & Lighting Approval

Motion by Bostick-Tullius. Seconded by Shenck.

To approve the use of trademark colors as submitted and 26 ft. high parking lot light poles for the Murphy Oil USA automobile service station located at 579 E. Genesee St.

Ayes: Commissioners RaCosta, Kelly, Marquardt, Pattison, Bostick-Tullius, Johnson and Shenck.

Nays: None.

Absent: Commissioners Kerbyson and Roberts.

MOTION CARRIED.

082 2022 5-12 Murphy Oil USA – 579 E. Genesee – Landscaping Waiver

Motion by Kelly. Seconded by Pattison.

To approve the waiver requested by Murphy Oil USA from the required greenbelt vegetation and foundation plantings in Section 7-15.02 of the zoning ordinance due to the presence of existing trees just outside of the designated greenbelt area that serve the same purpose contingent upon:

- Maintenance of the seven existing trees within the front yard of the site in a manner consistent with Section 7-15.02.M of the City of Lapeer Zoning Ordinance.

Ayes: Commissioners RaCosta, Kelly, Marquardt, Pattison, Bostick-Tullius, Johnson and Shenck.

Nays: None.

Absent: Commissioners Kerbyson and Roberts.

MOTION CARRIED.

083 2022 5-12 Murphy Oil USA – 579 E. Genesee – Site Plan Approval

Motion by Kelly. Seconded by Shenck.

To approve the site plan received from James T. Coyle of Greenberg Farrow representing Murphy Oil USA for redevelopment and expansion of an existing fueling station located at 579 E. Genesee St. because it meets all the standards in Section 7-18.04, contingent upon:

- Addressing outstanding zoning ordinance compliance issues from the May 3, 2022 memorandum.
- Addressing outstanding engineering comments from the letter dated May 6, 2022.

Ayes: Commissioners RaCosta, Kelly, Marquardt, Pattison, Bostick-Tullius, Johnson and Shenck.

Nays: None.

Absent: Commissioners Kerbyson and Roberts.

MOTION CARRIED.

OTHER BUSINESS

Zoning Ordinance Update

Consultant Ball continued review of various proposed updates to the Zoning Ordinance including the Central Business District section recommended changes to date and proposed updates to regulate roof top uses and balcony projections. Ball also reviewed and board discussion was held on a recent U.S. Supreme Court case opinion concerning regulation of signs as well as potential amendments to various sections of the City's existing sign ordinances for noncommercial and temporary signs, display duration, number of signs permitted, minimum size signs requiring a permit, murals, flag/banner type signs, political signs, electronic signs, canopy sign letter height, business center signs and sandwich/A-Frame signs.

CORRESPONDENCE

Consultant Ball stated the Development Activities Report is as submitted.

TRAINING REPORT

Consultant Ball reviewed an upcoming MSU Extension training opportunity on open meetings and parliamentary procedures.

COMMISSIONER COMMENTS

There were no comments from the commissioners.

ADJOURNMENT

Motion by Shenck.

Adjourn the meeting at 7:33 p.m.

MEETING ADJOURNED.

Commissioner Jeff Pattison
Secretary

Kimberly Hodge
Recording Secretary